

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DR. SAM WISE; and GERMAN WISE
DENTAL, LLC, d/b/a LOWER
COLUMBIA ORAL HEALTH, a
Washington limited liability company,

Plaintiffs,

v.

JONATHAN T. ESKOW, an individual; and
ESKOW LAW GROUP, LLC, f/k/a JTE
LAW, LLC, a Massachusetts limited liability
company.

Defendants.

NO. 3:22-cv-05033-DGE

JOINT STIPULATION AND AGREED
ORDER TO CONTINUE EXPERT
WITNESS DISCLOSURE AND
REBUTTAL EXPERT DISCLOSURE
DATES.

NOTE ON MOTION CALENDAR:
February 24, 2023

COME NOW, Plaintiff Dr. Sam Wise and Don Thacker, Bankruptcy Trustee in place of German Wise Dental, LLC, and Defendants, Jonathan T. Eskow, and Eskow Law Group, LLC f/k/a JTE Law, LLC, by and through their counsel of record, and respectfully submit the following Joint Stipulation and Agreed Order to Continue Expert Witness Disclosure and Rebuttal Expert Disclosure Dates.

As grounds therefore, the Parties state as follows:

Plaintiffs filed this action on January 18, 2022, Dkt. 1. The Parties appeared at a May 6,

1 2022 conference. An order setting jury trial and pretrial dates was entered on May 6, 2022,
2 where deadlines were set by the Court for expert disclosures and rebuttals, discovery motions,
3 discovery, dispositive motions, motions in limine, agreed pretrial order, pretrial conference,
4 trial briefs, proposed voir dire jury instructions, agreed neutral statement of the case, deposition
5 designations, and trial, Dkt. 30. Thereafter, Plaintiff, German Wise Dental, LLC, filed for
6 Chapter 7 Bankruptcy, and filed a Notice of Bankruptcy Filing in this Court on June 27, 2022,
7 Dkt. 33. As a result of German Wise Dental, LLC's Chapter 7 Bankruptcy proceeding, the case
8 was halted. The Parties advised the Court on August 8, 2022 of the ongoing issues caused by
9 Bankruptcy proceeding and the expected delay in the litigation resulting from same, Dkt. 35.
10 On October 4, 2022 the Parties filed a Joint Stipulated Motion and Agreed Order to Continue
11 Trial and All Pretrial Dates which was allowed on October 31, 2023, Dkt. 36, 43.

12 Discovery has been exchanged and the depositions of Plaintiff Dr. Sam Wise and
13 Defendant, Jonathan T. Eskow, have been conducted. The Parties are scheduled to mediate this
14 case on March 14, 2023, the day after the current expert disclosure deadline. In light of the
15 mediation and in an effort to save costs prior to the mediation, the Parties jointly stipulate and
16 request that the deadline for disclosure of expert testimony under FRCP 26(a)(2) ("expert
17 disclosure date") be extended from March 13, 2023 to April 7, 2023, and that the deadline for
18 disclosure of rebuttal expert testimony under FRCP 26(a)(2) ("expert rebuttal date") be
19 extended from April 11, 2023 to April 21, 2023. The parties do not seek to extend any other
20 deadline with this motion. In summary, the Parties request the following deadlines be
21 applicable to this matter:

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EVENT	CURRENT DEADLINE	PROPOSED DEADLINE
Disclosure of expert testimony under FRCP 26(a)(2)	March 13, 2023	April 7, 2023
Disclosure of rebuttal expert testimony under FRCP 26(a)(2)	April 11, 2023	April 21, 2023
All motions related to discovery must be filed	April 21, 2023	No change
Discovery completed	May 22, 2023	No change
All dispositive motions must be filed	June 20, 2023	No change
Motions in limine should be filed pursuant to Local Rule CR 7(d)(4)	August 14, 2023	No change
Agreed pretrial order filed with the Court	August 28, 2023	No change
Pretrial conference will be held	September 8, 2023	No change
Trial briefs, proposed voir dire, jury instructions, agreed neutral statement of the case and deposition designations due	August 28, 2023	No change
Trial	September 18, 2023	No change

In light of the above, counsel for both Parties stipulate to a new expert disclosure date and expert rebuttal date as indicated above and jointly request that this Court endorse the proposed stipulation to continue the expert disclosure date to April 7, 2023 and expert rebuttal date to April 21, 2023 accordingly.

Undersigned counsel for the Plaintiff and Defendants are available for a conference, should the Court deem it necessary.

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1 Respectfully submitted, this 24th day of February, 2023.

2 WAID LAW OFFICE, PLLC

3 BY: /s/ Brian J. Waid

4 Brian J. Waid, WSBA #26038
Attorney for Plaintiff Dr. Sam Wise

5 WILSON, ELSER, MOSKOWITZ,
6 EDELMAN & DICKER LLP

7 BY: /s/Ramona N. Hunter

Ramona N. Hunter, WSBA #31482

8 BY: /s/Christine A. Knipper

9 Christine A. Knipper
Andrea S. Burke
Admitted Pro Hac Vice

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11 Attorneys for Defendants Jonathan T.
Eskow and Eskow Law Group, LLC

AGREED ORDER

Pursuant to the Stipulation above, the Court hereby ORDERS that the identified deadlines for disclosure of expert testimony and disclosure of rebuttal expert testimony under FRCP 26(a)(2) be reset as agreed by the Parties to April 7, 2023 and April 21, 2023.

DATED this 24th day of February, 2023.



David G. Estudillo
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on February 24, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all attorneys of record.

WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER LLP

By: /s/Ramona N. Hunter

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